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Attorneys for
BROCADE COMMUNICATIONS SYSTEMS, INC.

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

MARY E. BARBOUR AS TRUSTEE FOR THE)
MARY E. BARBOUR FAMILY TRUST ONE,)
Derivatively On Behalf of BROCADE)
COMMUNICATIONS SYSTEMS, INC.,) Case No. 08-CV-2029
Plaintiff,)
vs.)
GREGORY L. REYES, DAVID L. HOUSE,) MOTION AND [PROPOSED] ORDER
MICHAEL KLAYKO, RICHARD) REGARDING LEAVE TO EXCEED
DERANLEAU, KUMAR MALAVALLI,) PAGE LIMITS
ANTONIO CANOVA, MICHAEL J. BYRD,)
STEPHANIE JENSEN, NEIL DEMPSEY,)
SANJAY VASWANI, L. WILLIAM KRAUSE,)
ROBERT R. WALKER, GLENN C. JONES,)
MICHAEL J. ROSE, SETH D. NEIMAN,)
NICHOLAS G. MOORE, CHRISTOPHER B.)
PAISLEY, WILLIAM K. O'BRIEN, LARRY)

**SONSINI, MARK LESLIE, TYLER WALL,
RENATO A. DIPENTIMA, JOHN W.
GERDELMAN, ROBERT D. BOSSI, KPMG,
LLP, WILSON SONSINI GOODRICH &
ROSATI, P.C. AND DOES 1-25, inclusive,**

Defendants,

-and-

**BROCADE COMMUNICATIONS
SYSTEMS, INC., a Delaware
corporation,**

Nominal Defendant

Nominal defendant Brocade Communications Systems, Inc. ("Brocade") respectfully moves pursuant to Local Rule 7-11 for leave to exceed the page limitations specified in Local Rule 7-2 and this Court's Standing Orders dated June 30, 2004. Specifically, Brocade seeks leave to exceed these page limitations in its opening memorandum of points and authorities in support of its motion to dismiss the amended complaint in this action or, in the alternative, to realign the parties and stay this action, dated August 2, 2008.

The page limit for a memorandum of points and authorities is 25 pages pursuant to Local Rule 7-2 and 15 pages pursuant to the Court's Standing Orders.

Although Brocade has diligently worked to keep its memorandum of points and authorities as brief as possible, the nature of this matter, its relation to already pending litigation in this Court, and the issues raised by plaintiff's amended complaint do not permit Brocade to fully and adequately brief the issues within the page limits set out in the Local Rules and this Court's Standing Orders. Brocade's memorandum of points and authorities total 50 pages.

WHEREFORE, Brocade respectfully requests that the Court enter an order permitting it to exceed the page limitations set forth in Local Rule 7-2 and this Court's Standing Orders in its

1 memorandum of points and authorities in support of its motion to dismiss or, alternatively, to realign
2 the parties and stay this action.

3 Dated: August 3, 2008

4 Respectfully submitted,

5 DEWEY & LEBOEUF LLP

6 By: /s/ Peter E. Root

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12 Attorneys for
13 **BROCADE COMMUNICATIONS SYSTEMS,
INC.**

14 * * *

15 **ORDER**

16 IT IS SO ORDERED

17 DATED: _____

18 JUDGE CHARLES BREYER